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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/511,548	02/23/2000	Yoshifumi Maitani	FUJIP0108US	6152
7590 05/18/2004			EXAMINER	
Neil A. DUChez Renner Otto Boisselle & Sklar P L L 1621 Euclid Avenue 19th Floor Cleveland, OH 44115			SAFAIPOUR, HOUSHANG	
			ART UNIT	PAPER NUMBER
			2622	
			DATE MAILED: 05/18/2004	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/511,548

Applicant(s)

MAITANI ET AL.

Examiner

Houshang Safaipoor

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5 and 6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5 and 6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 February 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4,6,11</u> . | 6) <input type="checkbox"/> Other: ____. |

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DETAILED ACTION

Response to Amendment

Applicant's response filed on March 22, 2004 has been entered and made of record.

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Webb et al. (U.S. Patent No. 5,278,674).

Regarding claim 1, Webb et al. discloses an image reader having a document moving mode in which an original document carried through a document passing area on an original table is read by a read out section, characterized in that:

the readout section comprises a light source for irradiating light to the document (fig. 8, col. 14, line 66 through col. 15, line 31);

a first standard white board being longer than the length of said document passing area with respect to the main scanning direction is provided outside the document passing area (col. 15, lines 1-31);

a second standard white board is provided in an external region of an end portion of the

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document passing area with respect to the main scanning direction (col. 15, lines 1-31);

a control section that controls the readout section in such a way that, in the document moving mode, the readout section reads the first standard white board prior to the initiation of the document read to thereby perform the shading correction (col. 8, lines 51 through col. 9, line 2), and after the document read has been initiated, said read out section reads the moving document as well as the reflected light of the second standard white board, so as to correct the quantity of irradiation light of the light source, based on a difference between a first data of quantity of light of the first standard white board and a second data of quantity of light of the second standard white board (fig. 7, col. 13, line 57 through col. 15, line 31).

Regarding claim 2, Webb et al. discloses an image reader having both of a document fixing mode in which a read out section moves to an original document put in a document putting area on an original table and a document moving mode in which an original document carried through a document passing area on an original table is read by the read out section, characterized in that:

the readout section comprises a light source for irradiating light to the document; a first standard white board being longer than the length of said document passing area with respect to the main scanning direction is provided outside the document passing area; a second standard white board is provided in an external region of an end portion of the document passing area with respect to the main scanning direction; a control section that controls the readout section in such a way that, in the document moving mode, the readout section reads the first standard white board prior to the initiation of the document read to thereby perform the shading correction, and after the document read has been initiated, said read out section reads the moving

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document as well as the reflected light of the second standard white board, so as to correct the quantity of irradiation light of the light source, based on a difference between a first data of quantity of light of the first standard white board and a second data of quantity of light of the second standard white board (fig. 7, col. 13, line 57 through col. 15, line 31).

Regarding claim 3, Webb et al. discloses an image reader having a second standard white board in an external region of an end portion of the document (the arguments stated for claim 1 are also applicable to this claim limitation).

Regarding claims 5 and 6, arguments analogous to those presented for claims 1 & 2 are applicable to claims 5 and 6.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Houshang Safaipoor whose telephone number is (703)306-4037.

The examiner can normally be reached on Mon.-Thurs. from 6:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles, Sr. can be reached on (703)305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Houshang Safaipoor
Patent Examiner
Art Unit 2622
May 13, 2004


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SUPERVISORY PATENT EXAMINER
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